

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

AGA Medical Corp.,

Plaintiff,

v.

W. L. Gore & Associates, Inc.,

Defendant.

No. 0:10-cv-3734 (JNE/JSM)

STIPULATION

The Parties, by and through their respective counsel of record, stipulate and agree:

WHEREAS, the Court issued an Order pursuant to Stipulation on November 7, 2011, requiring, among other things, that certain documents be produced by November 18, 2011” (Doc. No. 188 at 2, ¶ 1(c));

WHEREAS, Plaintiff already has collected and produced in excess of 246,000 pages and other media since the issuance of the Court’s Orders last month (Doc. Nos. 180-183), but asserts that it will be unable to collect and produce all documents pursuant to the Orders as set forth below;

WHEREAS, Plaintiff believes it has complied with the Court’s Orders filed October 19, 2011 (Doc. Nos. 180-183), with the exception of producing foreign litigation documents from India and China;

WHEREAS, Plaintiff has not received the documents it requested from foreign counsel in China and India, and Plaintiff anticipates receiving documents from China sometime next week, and Plaintiff's Indian counsel is collecting documents but has not indicated whether Plaintiff can anticipate receiving those prior to the Thanksgiving weekend;

WHEREAS, Plaintiff has requested a two-week extension of the November 18 deadline to complete the remainder of its production of prior litigation documents from India and China (as ordered at page 41 of Docket No. 180);

WHEREAS, the parties agree that allowing additional time to respond to the Orders and produce discovery is fair and reasonable;

WHEREFORE, THE PARTIES STIPULATE, by and through their undersigned counsel:

1. The deadline for completing discovery of foreign litigation documents from India and China as set forth in this Court's Order (Docket No. 188) shall be extended from November 18, 2011 to December 2, 2011.
2. The parties are available to discuss this Stipulation with the Court by telephone or in person should the Court have any questions.
3. AGA reserves the right to seek an additional reasonable amount of time in the future to produce any particular types of documents in response to the Court's Orders. Gore reserves the right to oppose any such request by AGA.

Dated: November 18, 2011

Respectfully submitted,

AGA Medical Corp.

Alan G. Carlson (MN Bar No. 14,801)
J. Derek Vandenburg (MN Bar No.
224,145)
R.J. Zayed (MN Bar No. 309,849)
Tara C. Norgard (MN Bar No. 307,683)
Dennis C. Bremer (MN Bar No. 299,182)
Jonathan D. Carpenter (MN Bar No.
387,511)
CARLSON, CASPERS, VANDENBURGH
& LINDQUIST, P.A.
225 South Sixth Street
Suite 3200
Minneapolis, Minnesota 55402
Phone: 612-436-9600
Fax: 612-436-9605
E-mail: tnorgard@ccvl.com

Dated: November 18, 2011

Respectfully submitted,

W.L. GORE & ASSOCIATES, INC.

Matthew K. Blackburn (CA #261959)
LOCKE LORD LLP
44 Montgomery Street
Suite 2400
San Francisco, CA 94104
Phone: (415) 318-8810
Fax: (415) 676-5816
E-mail: mblackburn@lockelord.com

John F. Sweeney (NY #1394568)
Andrea L. Wayda (NY #2524932)
Steven M. Purdy (NY #4406823)
LOCKE LORD LLP
Three World Financial Center
New York, New York 10281-2101
Phone: (212) 415-8600
Fax: (212) 303-2754
Email: jsweeney@lockelord.com
Email: awayda@lockelord.com
Email: spurdy@lockelord.com

Myoka Kim Goodin (CA #229073)
Patrick C. Gallagher (IL #6294674)
LOCKE LORD LLP
111 South Wacker Drive
Chicago, IL 60606-4410
Phone: (312) 443-0700
Fax: (312) 443-0336
Email: mkgoodin@lockelord.com
Email: pgallagher@lockelord.com

James W. Poradek (#290488)
Katherine S. Razavi (#388958)
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
Telephone: 612-766-7000

EXHIBIT A

Facsimile: 612-766-1600

E-mail: jporadek@faegre.com

E-mail: krazavi@faegre.com

EXHIBIT A